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DEPARTMENT FOR NEA/ELA, NE/RA FOR CHATTERJI, G/TIP FOR
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CASC, EG
SUBJECT: CAIRO SUBMISSION FOR THE NINTH ANNUAL TRAFFICKING
IN PERSONS (TIP) REPORT

REF: A. 08 STATE 132759
[1](#)B. 08 CAIRO 2483
[1](#)C. 08 CAIRO 2562

[1](#)1. (U) This cable contains U.S. Embassy Cairo's response to
Trafficking in Persons (TIP) contribution requirements
(reftel A). The following text contains responses to
paragraphs 23-29 in the original tasking cable.

[1](#)2. (U) THE COUNTRY'S TIP SITUATION:

-- A. The available sources of information are mainly the
press, Egyptian government and non-government contacts, and
TIP experts. We regularly discuss TIP with officials in the
Egyptian Ministry of Foreign Affairs (MFA), the National
Council for Childhood and Motherhood, the Public Prosecutor's
Office, the Ministry of Justice, the International
Organization for Migration, UNICEF, and other independent
activists. The quasi-governmental National Council for
Childhood and Motherhood (NCCM) is working on a study on
early marriages. The National Commission for Combating
Trafficking in Persons, composed of 16 agencies in the
Government, has retained the National Council for
Criminological and Social Studies to carryout a comprehensive
study on TIP to determine the nature and scope of the problem
in Egypt. NCCM's Special Trafficking Unit is mandated to
spread awareness and issue publications on forms of
trafficking. Our sources are generally reliable, but several
are likely to reflect the government's view of the situation.

-- B. Egypt is both a country of origin and a transit country
for Eastern European women being trafficked to Israel.
Trafficking occurs within the country's borders, but does not
occur in territories outside the government's control.
Street children are the most vulnerable population. They are
trafficked locally where they may be forced to beg and
participate in prostitution. They are subject to abuse and
sexual assault. It is estimated that there are at least one
million street children in Egypt, but some NGO's believe that
the figures could be higher. In February, Alexandria
prosecutors revealed that a local gang forced eight street
children to engage in homosexual acts for which the gang was
remunerated. There are cases of child marriages where poor
families, often living in villages, marry their young
daughters to older men from the Gulf in return for money,
which is used to assist the family financially. There are no
statistics on the scope of this practice. Children are
subject to domestic servitude, but there are no reliable
statistics on numbers. Children are also recruited for
seasonal agricultural work. Some children employed in
domestic and agricultural work may face conditions of
involuntary servitude, restrictions on movement, non-payment
of wages, threats, and physical or sexual abuse. Child sex
tourism is increasingly being reported in Cairo, Alexandria
and Luxor. There have been no changes in destinations for
trafficking.

The Government of Egypt does not fully comply with minimum standards for the elimination of trafficking, but is undertaking significant actions to do so. In July 2007, the government established the National Coordinating Committee to Combat and Prevent Trafficking in Persons,⁸ which improved inter-governmental coordination on anti-trafficking initiatives. The Committee is currently working on a draft for a comprehensive law that will incriminate all forms of trafficking in persons. The committee charged the National Center for Criminological and Social Research to undertake a comprehensive study of the trafficking situation in Egypt. The Egyptian Government in June 2008 passed amendments to its Child Law, which specifically criminalized trafficking of children. The first case using this law is now making its way through the courts. Since the passage of the Child Law amendments, the Public Prosecutor's office conducted training for 125 prosecutors working on children's cases. The three-day training program, organized with the assistance of USAID, defined trafficking in children, addressed prosecutor responsibilities for protecting child victims, educated prosecutors about street children, and addressed the need to provide health and psychological care for child victims. The Public Prosecutor's office prepared a handbook that was distributed to all prosecutors working with children, which explains how to use the child law amendments to prosecute cases. The National Committee for Childhood and Motherhood (NCCM) formed a special anti-trafficking unit using USD 1 million of USAID local currency made available through the Ministry of International Cooperation. The establishment of this unit strengthens measures to prevent and combat trafficking in children through: 1) legislative reform, 2) capacity building of governmental and civil society

organizations to address issues related to child trafficking; 3) raising public awareness and community responsibility; 4) establishing a mechanism for data collection and analysis; and 5) protecting and rehabilitating children at risk and their families. NCCM's TIP Unit will also develop a national plan of action to combat child trafficking. The unit's goal is to provide protection and assistance to victims and children at risk, rehabilitate victims of trafficking, provide training and awareness, establish a database and coordinate activities of governmental and non governmental bodies. The National Council for Women recently established a special unit for TIP to push for policies to protect women from becoming trafficking victims.

-- C. The conditions that people are trafficked into depends on the type of trafficking. Street children remain on the streets, but are often abused. Women from Eastern Europe are moved from Cairo to the Sinai Peninsula and then to Israel.

-- D. Street children, young females from economically underprivileged families, female refugees, and Eastern European females going to Israel through Egypt are most at risk of being trafficked.

-- E. Traffickers are street children gang members, family members, brokers of the early marriages, and external organized crime groups (i.e. Russians moving women to Israel). Victims in Egypt are usually trafficked because they are vulnerable and lack the ability to protect themselves, such as street children, young girls, and refugees. Traffickers may use money as a motivation for trafficking. In the case of early marriages, young females may accept marriage to elderly men, often from the Gulf, in return for financial assistance to their families. In the case of street children, traffickers may approach potential victims to make them part of the group or the gang. There are no national or official agencies that traffic victims. In the case of early marriages it is impossible to ascertain whether all marriages take place through marriage brokers.

13. (U) SETTING THE SCENE FOR THE GOVERNMENT'S ANTI-TIP EFFORTS:

-- A. Government officials previously noted that Egypt is a transit country for Eastern European women trafficked to Israel. However, the government now recognizes problems in the trafficking of street children and early marriages.

-- B. Multiple government agencies are involved in anti-trafficking efforts especially under the auspices of the National Coordinating Committee to Combat and Prevent Trafficking in Persons. The lead agency for the Committee is the Ministry of Foreign Affairs. However, 15 other agencies are also involved including the Ministry of Justice, Public Prosecutor's Office, the National Council for Childhood and Motherhood, National Council for Criminological and Social Studies, Ministry of Interior, Ministry of Social Solidarity, Ministry of Tourism, Ministry of Health and Population, Ministry of Information, Ministry of Labor, Ministry of Education and the National Council for Women.

-- C. The lack of financial resources is one of the largest impediments to the implementation of trafficking laws. Additionally, the lack of training for first responders (police) impedes implementation. Prosecutors and judges could also use training to help prosecute cases under trafficking laws. Egypt lacks data and statistics on the nature and scope of trafficking. Overall corruption is a problem, but it is not directly related to trafficking in persons. The government lacks resources to aid victims.

-- D. The government does not systematically monitor anti-trafficking efforts in terms of prosecution, prevention and protection. However, adopting the comprehensive law on trafficking could trigger significant change.

14. (U) INVESTIGATION AND PROSECUTION OF TRAFFICKERS:

-- A. The Child law: Enacted in 1996. It was law no. 12 of 1996 and amended to law number 126 of 2008

Child Law Amendments:

Article 7 to penal code provision no. 291: Violating the rights of a child to be protected from trafficking is unlawful. This includes trafficking, sexual abuse, commercial or economic abuse and use of a child in research and scientific experiments. Whoever sells, buys or presents a child for sale, and whoever sells the child as a slave,

assaults a child sexually or commercially or uses a child in forced labor or for any illegal gains is punishable by at least 5 years of imprisonment and a fine no less than 50,000 LE and not more than 200,000 LE. (USD 9,000-36,000). The penalty applies even if the act was committed abroad. The same penalty applies on those who incite such acts even if the crime was not committed based on this incitement. The penalty is multiplied if committed by an organized transnational crime group.

Child Law

Article 64: Takes into consideration the non-violation of provision 18(b) of the Education Law no 139 of 1981. It is unlawful to employ a child under the age of 15 and it is unlawful to train a child before reaching the age of 13. The Governor of a specific Governorate can ask the Minister of Education to permit children aged 12-14 to engage in seasonal work as long as it does not affect the children's health, growth and school attendance.

Article 65: It is unlawful to employ a child in any work that can by its nature or its conditions risk the health, well-being or morality of a child. It is particularly unlawful to employ a child in the worst forms of child labor as stipulated in the agreement number 182 of 1999. A child should be subject to medical check-up before employment. The medical check-up should be conducted at least once a year. The employment must not lead to pain, physical or psychological impairments to the child and not deprive a child from the right to education, leisure, development. The

employer is obligated to provide health insurance for the child and to protect him/her from any harm that could take place during work. A child's annual leave is 7 days longer than adults and should not be delayed or canceled.

Article 66: A child should not be employed for more than 6 hours a day and there should be at least one break for lunch or rest for at least one hour during the day. A child should not work for more than 4 hours consecutively. A child should not work overtime or during weekly or official holidays.

Prostitution law: Enacted in 1961 and called the Law for Combating Prostitution.

Prostitution Law:

Article 1(a): Any person who incites a male or a female to practice debauchery or prostitution or tempts them to engage in these practices is punished with a minimum of one year of imprisonment and a maximum of three years, and a fine between 100 LE and 300 LE (USD 18-55).

Article 1 (b): If the victim is below 21 years of age the imprisonment should be at least one year and maximum five years. The same penalty applies to any individual who uses, deceives, or encourages a male or a female to commit debauchery or prostitution through deception, force, threat, misuse of authority or any means of coercion. The penalty also applies to whoever keeps a male or a female without their consent in a place for prostitution or debauchery.

Article 3: Whoever incites or facilitates a male or a female below the age of 21 to travel outside Egypt to work in debauchery or prostitution is punished by imprisonment of at least one year and at most five years, and a fine between 100 LE and 500 LE. (USD 18-91).

Article 9: Imprisonment of at least three months and a maximum of three years, and a fine between 25 LE to 300 LE (USD 5-55) applies to:

any person who rents or provides a place for prostitution or debauchery.

any person who furnishes a venue that facilitates prostitution or debauchery whether with the person's consent or by allowing others to encourage prostitution or debauchery.

any person who habitually practices debauchery or prostitution. When arrested, the person maybe sent for medical examination. If the person proves to have any venereal infectious diseases, he/she will be kept in a medical facility until he/she heals from the disease. A verdict maybe issued to put the convicted person in a special institution after serving the sentence until an administrative entity orders his/her release. However, the person may not be kept more than three years.

Venues used for prostitution or debauchery will be closed. The closing duration should not exceed three months.

On June 7, 2008, Egypt passed amendments to the current Child Law criminalizing the trafficking of children. Under the child law amendments, an individual who sells, buys, or offers a child for sale may be sentenced to at least five years' imprisonment and fined up to LE 200,000 (\$36,000).

A Ministry of Justice ruling bans marriages of Egyptian girls to foreigners, if the age gap is more than 25 years. The government prosecutes trafficking-related cases under laws prohibiting commercial sexual exploitation, with penalties of up to seven years imprisonment and forced labor. The government is currently drafting a separate and comprehensive trafficking law. The law will criminalize all forms of trafficking in persons and will define all people as possible victims, not just children.

-- B. Prostitution law: Enacted in 1961 and called the Law

for Combating Prostitution.

Prostitution Law:

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Venues for prostitution or debauchery will be closed. The closing duration should not exceed three months.

-- C. The Unified Labor Law does not define "forced labor." Therefore, there are no provisions against it. The Egyptian Government investigates labor recruiters and agents. If there is any wrongdoing, the case is referred to the misdemeanor court on charges of swindling. The confiscation of passports is not applicable for Egypt because there is no sponsorship (Kafala) system in the country.

On June 2008, the Cabinet discussed amending Law 232 for the year 1989 which would make the transport of illegal migrants punishable by imprisonment and fines not to exceed LE 200 thousand pounds and not less than LE 50 thousand pounds (USD 9,000-36,000). No actions have been taken, but it is expected that the parliament will discuss this amendment in the near future.

-- D. Those who exploit, use or incite victims under 21-years old to practice prostitution shall be sentenced to not less than one year and not more than five years imprisonment. Anyone who uses any means of coercion, threat,

or abuses this authority over the victim in order to exploit him/her sexually shall be subject to not less than one year and not more than seven years in prison. The maximum penalty level of seven years imprisonment is used if the perpetrators committed crimes against two or more victims. According to article 267 of the Penal Code, rape is punishable by 15 years in prison if the perpetrator uses any means for coercion or threat, 25 years in prison if committed by family member or

guardian, and death if accompanied by the abduction of the victim.

-- E. On January 16, Egyptian authorities charged 11 people, including two U.S. citizens, with involvement in a trafficking scheme to buy newborn Egyptian infants for illegal adoption. This is the Government's first case using the child amendments that prohibit trafficking of children. The case is currently making its way through the courts. The original investigation of the case was carried out by the U.S. Embassy's Diplomatic Security agents, which helped to make the case ready for prosecution (reftels b, c). The Public Prosecutor's office noted that Egyptian police do not yet possess significant training to deliver trafficking cases that are ready for prosecution.

On January 26, Tanta Criminal Court confirmed the verdicts issued against the perpetrators convicted of trafficking and murdering 24 street children in 2006. In 2006, the Public Prosecutor brought six men to trial charged with kidnapping, deceiving, molesting, forced prostitution and begging, and the murder of 24 street children between April 9 and November 17 in 2006. Two received death sentences (Ramadan Abdel Rahman Mansour, Farag Mahmoud Al Sayed); Moemen Ahmed Abdel Monem was sentenced to 40 years, Ahmed Samir Abdel Moneim was sentenced to 45 years, Hamada Mohamed Marouf was sentenced to 30 years and Mohamed Shaaban was sentenced to 18 years.

In February, the Alexandria Prosecutor's office began an investigation into a network that forced street children to engage in homosexual prostitution.

-- F. NCCM TIP Unit began training for government officials on TIP focusing on prosecutors and judges. NCCM's TIP Unit also completed a manual to spread awareness of the selling and trafficking of new born babies in hospitals. NCCM will follow up with training to nurses, doctors and psychosocial specialists in hospitals. The Prosecutor General issued a booklet to all prosecutors dealing with trafficking on how to investigate and prosecute trafficking crimes while protecting the victims of trafficking. IOM conducted a special training on trafficking in persons and victim protection for 20 police officers.

--G. The Prosecutor General told us that the Egyptian government will cooperate with other governments in the investigation and prosecution of trafficking cases. The Egyptian Government is cooperating with U.S. Diplomatic Security on a baby trafficking case (reftels b, c). The government gave no specifics on extraditions.

-- I. There is no evidence of government involvement in or tolerance of trafficking, on a local or institutional level.

-- J. There is no evidence government officials are involved in trafficking.

-- K. Prostitution is illegal in Egypt and the laws are enforced. According to the Egyptian Law for combating prostitution, Article 9 stipulates that any person who practices prostitution, or rents or provides a place for prostitution is subject to imprisonment between three months and three years and a fine between LE 25 to 300. (\$5-55)

-- L. Egypt has peacekeeping forces deployed to Darfur and South Sudan. We have not been able to ascertain whether specific training was offered to these forces on trafficking.

-- M. Sex tourists are usually from Gulf and EU countries. We have no information on extraditions. There are no reports of Egyptians involved in extraterritorial sex tourism.

15. (U) PROTECTION AND ASSISTANCE TO VICTIMS:

-- A. The Government is constrained by lack of resources. There is a medical file started for each child victim. The Ministry of Social Solidarity and NGO's provide basic health care for victims. El Orman Orphanage can house children in

need of protection.

-- B. There are care facilities with insufficient resources

to meet the needs of all victims. The Ministry of Social Solidarity provides shelters, but they are only open during the day, and do not provide residence for victims at night. Foreign victims do not have the same access to care as domestic trafficking victims. Juvenile detention centers are in bad condition, and juveniles may be subject to incarceration with adults. Street children generally refuse to stay in shelters. Child victims may also be referred to their guardians. El Orman Orphanage can house children in need of protection. Egypt does not have specialized care for adults or male victims. The Ministry of Social Solidarity offers day-time shelters. NCCM launched a special center for rehabilitation of victims of trafficking in persons. Other public shelters such as Hope Village provide assistance to victims. NCCM also operates a free hotline that operates 24 hours per day, 365 days per year. Street children and victims of violence and abuse can call to receive assistance.

-- C. The Ministry of Social Solidarity and NGO's provide basic health care for victims. NCCM receives partial funding from the government, but it is a quasi-governmental body.

-- D. Victims of trafficking maybe subject to deportation and there is no provision of alternative protection. Foreign trafficking victims are often returned to their countries of origin through their embassies in Cairo, but they are not treated as criminals.

-- E. The government does not provide longer-term sheltering or housing benefits to victims. It also does not provide resources to aid the victims in rebuilding their lives.

-- F. The government does not have a referral process to transfer victims detained, arrested, or placed in protective custody by law enforcement authorities to institutions that provide short- or long-term care.

-- G. In the absence of a trafficking law, there is no way to estimate the number of trafficking victims. There are estimates of at least one million street children in Egypt who are subject to trafficking, but there are no exact statistics on the actual trafficking cases among street children or other forms of trafficking. The same applies with early marriages since it is carried out informally. The MFA hopes that the study that will be carried out by the National Council for Criminological and Social Studies will reveal details on the scope and nature of trafficking in Egypt.

-- H. The government's law enforcement, immigration, and social services personnel do not have a formal system of proactively identifying victims of trafficking.

-- I. There is an effort under way to educate police and first responders to the need to protect victims of trafficking. The IOM's training of police and the Prosecutor General's Handbook are two examples of this effort. However, in practice street children and prostitutes are still often treated as criminals rather than victims especially by the security apparatus.

-- J. The government encourages street children to assist in the investigation and prosecution of trafficking offenses. However, in other cases the government may not push victims to testify due to familial and societal ramifications.

-- K. NCCM TIP Unit began training for government officials on TIP focusing on prosecutors and judges. NCCM's TIP Unit also completed a manual to spread awareness of the selling and trafficking of new born babies in hospitals. NCCM will follow up with training to nurses, doctors and psycho-social specialists in hospitals. IOM conducted a special training on trafficking in persons for police officers. There is no immigration control for identification of potential victims at the airport.

-- L. The government does not provide assistance, such as medical aid, shelter, or financial help, to its nationals who are repatriated as victims of trafficking.

-- M. There are no international organizations or NGO's that specifically work with trafficking victims in Egypt. However, some organizations such as UNICEF, UNISAM, and Save the Children provide general services for women and children, and some of the people they assist are trafficking victims. In January, NCCM launched a special center for rehabilitation of women and children victims of trafficking.

16. (U) PREVENTION:

-- A. There is no official campaign to prevent trafficking because the Government is waiting for the results of the study on trafficking to target its anti-trafficking campaign. However, there has been wider media reporting on trafficking in persons throughout the year, much of it related to the efforts of First Lady Suzanne Mubarak. The National Council for Human Rights held a seminar and a round table discussion on the issue to raise awareness and to bring together officials from different ministries, agencies, and experts who work on human trafficking.

-- B. The government does not monitor immigration and emigration patterns for evidence of trafficking.

-- C. The National Commission for Combating Trafficking in Persons led by Ministry of Foreign Affairs was established to coordinate and communicate between various agencies on the issue. It has also been charged with drafting the comprehensive trafficking law.

-- D. The National Commission and NCCM's TIP Unit both are formulating a national plan of action to address trafficking in persons. IOM and UN agencies have been included in the process.

-- E: We have no information on government actions to reduce the demand for commercial sex acts.

-- F. Egyptian nationals do not often participate as consumers in child sex trafficking.

-- G. No Information. However, we have no reports on Egyptian troops in UNAMID or UNMIS being involved in trafficking.

17. (U) No one to recommend.

18. (U) Not applicable.
SCOBAY